



United States Department of the Interior

BUREAU OF LAND MANAGEMENT



**KANAB RESOURCE AREA OFFICE
318 NORTH FIRST EAST
KANAB, UTAH 84741
(801) 644-2672**

3809
UT048
UT-68552

RECEIVED

DEC 10 1992

December 8, 1992

Gerald Berry
Box 96
Orderville, UT 84758

DIVISION OF
OIL GAS & MINING

Dear Mr. Berry:

We have reviewed your Notice of Intent to conduct mining operations less than 5 acres on your Mudball 1-3 mining claims, located in T40S, R8W, Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$. Your proposal is acceptable and it meets all requirements of 43 CFR 3809 regulations. This Notice of Intent was assigned the number UTU-68552.

Your proposed activity is subject to the attached mitigating measures to prevent undo and unnecessary degradation. Because your entire project area appears to be greater than 5 acres when included with your operations on the adjacent state land in Sec. 36, you will also be subject to the Division of Oil, Gas, and Mining, State of Utah Minerals Reclamation Program Regulations R613-004: Large Mining Operations.

Please be sure to notify us when you begin your operation.

Your cooperation is appreciated and if you have any questions, please contact Rod Schipper at this office.

Sincerely,

Verlin L. Smith
Area Manager

Enclosure

cc: Holland Shepherd, Utah Division of Oil, Gas, and Mining

MITIGATING MEASURES TO PREVENT UNDO AND UNNECESSARY DEGRADATION

Gerald Berry Septarian Claims, Mudball 1-3
T40S, R8W, Sec. 25, S $\frac{1}{2}$ SW $\frac{1}{4}$

1. Topsoil will be stripped and stockpiled for use in reclamation. Reject material from mining will also be stockpiled for use in reclamation.
2. There shall be no interference with natural drainage through the area and excavated material may not be placed where it might be washed downstream.
3. Adequate warning signs should be posted at all approaches to the mine site during mining operations.
4. If any prehistoric or historic cultural remains are discovered, the Kanab BLM authorized officer will be notified immediately and all mining operations shall be halted pending investigation and mitigation.
5. If any vertebrate fossils or other fossils of significant scientific interest are discovered, the Kanab BLM authorized officer will be notified immediately and all mining operations shall be halted pending investigation and mitigation.
6. The operator shall promptly remove and properly dispose of all waste caused by mining activities. The term "waste" as used herein means all discarded matter including, but not limited to, trash, garbage, refuse, petroleum products, ashes and equipment.
7. All land survey markers must be protected against destruction or damage. The operator must re-establish any damaged or destroyed markers in accordance with accepted survey practices.
8. Except at the quarry face, the sides of the excavation area should not exceed a 3:1 slope.
9. The Kanab BLM authorized officer shall be contacted three days prior to commencing reclamation work.
10. Reclamation will include reshaping the site to approximate original contours, and the site shall be terraced to control erosion and prevent landslides.
11. A suitable vegetation harmonious with the area shall be established. The disturbed areas will be seeded with a seed mixture approved by the Kanab BLM authorized officer.